

The answer to that question is simple. TPA is necessary in order for our negotiators to get a good deal. We know this is the case. Without TPA in place, our negotiating partners have no guarantees that the deal they sign will be one Congress will consider.

Without those guarantees, they are less likely to put their best offers on the table because they will have no assurance that our country can deliver on the deal or any deal they enter into with us. Make no mistake, we need to get good deals at the negotiating table.

More than 95 percent of the world's consumers live outside of our country, the United States. If our farmers, manufacturers, and entrepreneurs are going to compete on the world stage, they need access to these customers.

History has shown that high-standard free-trade agreements expand market access for U.S. exporters and reduce our trade deficits. Most importantly, they grow our economy, create good, high-paying jobs for workers here at home, and improve living standards for our citizens and for our trading partners. If the United States is going to advance its values and interests in the international marketplace, we need to be writing the rules and setting the standards. We cannot do that if we are sitting on the sidelines.

This is an important bill. I was very pleased to see it pass the Senate with bipartisan support.

I hope that in the coming days, we will see a similar result in the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### KING V. BURWELL

Ms. STABENOW. Mr. President, we expect a ruling this month in the Supreme Court case of *King v. Burwell*, which will have such an impact on families all across America and on the affordability and availability of health insurance for them and for their families. This is an incredibly important issue.

As someone who was there in the Senate Finance Committee at virtually every meeting—and who helped write the tax credit section of the bill—I wish to remind my colleagues of what is at stake in this decision.

During the Finance Committee markups, I worked very hard to make sure the affordability tax credits, which provide tax cuts for millions of Americans, were meaningful in helping people buy health insurance through the marketplaces. It took a lot of work to get those tax credits written into the Affordable Care Act. In fact, as my colleagues know, certainly on this side of the aisle, I would go to every meeting with charts and graphs, looking at what people would have to pay under various levels of tax cuts and how to make sure it was affordable. The great news is that the majority of Americans today are able to purchase affordable

health insurance for less than \$100 a month, and that was a lot of work to get done. That is really what is at stake right now.

Now, I know there are people who don't like the law that was written, but the legal argument being presented in the Supreme Court right now makes absolutely no sense. Folks on the Republican side of the aisle are asking the Supreme Court to raise the taxes of some 6.4 million Americans. We are talking about \$1.7 billion in tax increases going to all these States in the red, including my own.

We have Members of the Senate cheering on a court that could rule that there would be a \$1.7 billion tax increase on their own constituents. Don't count me in as one of those who are cheering that on. I don't understand it.

These Members of Congress are effectively saying that people in Massachusetts, where there is a State exchange, can have a tax cut and the affordable coverage that comes with it, but people in Oklahoma can't have a tax cut. They are suggesting it is fine for people who live in the District of Columbia to get tax cuts to help pay for their insurance, but people in Louisiana cannot or that people in New York can have tax cuts to help pay for their insurance, but people in Texas cannot.

Now, to drive this point home, I wish to take a moment to look at how many people in each State are at risk of a tax increase based on the Supreme Court ruling, because this is very important to literally millions and millions of Americans.

In Alabama the Supreme Court could raise taxes through their decision on 132,253 people. Over 132,000 people will find out this month whether they get a tax increase as a result of the Supreme Court decision.

In Alaska, we see the possibility of 16,583 people in the Last Frontier State who would see an average of \$536 more in taxes as a result of the possible decision being urged on by Republicans in the House and Senate.

In Arizona, the Grand Canyon State, over 126,000 people—Americans—would see a tax increase. There would be \$20 million total in tax increases in Arizona, depending on how the Supreme Court rules.

Let's go on to what is called the Natural State, Arkansas, where 48,100 people will see an average increase of \$284 as a result of the Supreme Court decision if they rule against what we know was done correctly in terms of writing the Affordable Care Act.

Let's go on and look at Delaware, the First State, where 19,128 people would see their taxes go up—a tax increase in Delaware, depending on what the Supreme Court does later this month.

In Florida, the Sunshine State, it is over 1.3 million people—1,324,516 people—and we are looking at almost \$390 million in tax increases that would be coming from the State of Florida if the Supreme Court sides with Republicans

and makes that decision that will increase people's taxes.

In Georgia, the Peach State, 412,385 Georgians will see a tax increase as a result of the Supreme Court if the Supreme Court does what the Republicans want to have done.

In Illinois, 232,371 people living in Illinois, next to Michigan, our great friends in Illinois—almost \$50 million in tax increases in Illinois will happen beginning at the end of this month if the Supreme Court rules the way Republicans want them to rule.

In Indiana, also next to the great State of Michigan, 159,802 people living in Indiana, Hoosiers, will see their taxes go up if the Supreme Court rules against providing tax cuts.

In Iowa, the Hawkeye State, 34,172 Iowans will see their taxes go up. These are families. These are working families. These are families working hard, with one job, maybe two jobs, maybe three jobs. There probably are folks who are certainly included in this who lost the equity in their homes after what happened with the great recession and are trying to dig themselves out of the hole and are celebrating the fact that they can go to bed at night not having to worry if the kids get sick, if they can take them to the doctor. Most of them are able to buy health insurance for less than \$100 a month because of the tax cuts we passed in the Affordable Care Act.

In Kansas, the Sunflower State, 69,979 people—almost 70,000 people in Kansas—will see their taxes go up if the Supreme Court sides with the Republican position on the Affordable Care Act.

In Louisiana, the Pelican State, 137,940 people who live in Louisiana—almost \$45 million would come out of this State in tax increases if the Supreme Court sides with the Republican position regarding the Affordable Care Act.

In Maine there are 60,939 people who represent families—people who have families, who have children, spouses—who are now able to afford insurance, most of them for under \$100 a month, maybe for the first time ever because of the tax cuts, tax credits that are translated into tax cuts for people in the Affordable Care Act.

This one means the most to me, of course, and that is my home State of Michigan. There is no way, by the way, I would have ever voted to do this. The idea that we voted for something that would make all of this happen is pretty crazy. Obviously, that was not legislative intent. But in Michigan, 228,388 people in my State, men and women and their children, will, in fact, see a tax increase if the Supreme Court rules with the Republican position at the end of this month.

Missouri, the Show Me State: Well, I will tell you what they don't want to show are more tax increases—197,663 people in Missouri, and we are talking about \$55 million coming out of the State of Missouri. These are families

who will pay more and, in many cases, not be able to afford health care anymore for their families. So they are going to pay more, and they are not going to have health care.

Mississippi, the Magnolia State: There are 75,613 people. That State will see over \$26 million in total tax increases.

Montana, the Treasure State: 41,766 people in Montana. It is close to \$10 million in total that will come out of Montana, from Montana families, in tax increases, if the Supreme Court sides with the Republican position in the House and the Senate and raises people's taxes.

Nebraska: 56,910 Nebraskans will see their taxes go up an average of \$257 each—almost \$15 million in total coming from Nebraska.

New Hampshire: The Supreme Court decision could raise taxes on almost 30,000 people—29,996 people—in New Hampshire who have health insurance now, most for under \$100 a month. They will probably lose their health care and the bonus is they will get a tax increase that will, in total, be almost \$8 million.

New Jersey, the Garden State: 172,345 people in New Jersey are all looking at about \$54 million in tax increases—this is New Jersey alone—who will get less health care and more taxes.

North Carolina, the Tar Heel State: 458,738 people. That is a lot of people in North Carolina—458,738 people—who today have the peace of mind of knowing if they get sick, they can go to a doctor, take their children to the doctor, they can prevent themselves from getting sick by having preventive care and cancer screenings and all those things we want for ourselves and our families. They will see their taxes go up if the Supreme Court sides with the Republican position.

North Dakota: 14,115 individuals will see their taxes go up. We are looking at \$3.3 million in small States such as North Dakota where families will pay an increase in taxes.

Ohio: 161,011 people in Ohio. The Buckeye State—the great rivals of my State. There are 161,011 Ohioans who are looking at \$41 million in total tax increases. They are looking at less health care and more taxes if the Supreme Court sides with the Republican position sometime between now and the end of the month.

The Sooner State of Oklahoma: 87,136 people living in Oklahoma. This is another State near and dear to me. This is where my mom grew up. She lived on a farm and actually picked cotton. I know how hard they work. So 87,136 people in Oklahoma will see over \$18 million come from this State. These are men and women who just want to make sure they have health care for their children so they can respond if somebody gets sick, if somebody has cancer, if somebody needs to have some health care help. They will see less health care and \$18 million more in tax increases if the Supreme Court sides

with the Republican position this month.

Pennsylvania, the Keystone State: 348,823 people. Again, a big State and a lot of people in Pennsylvania—348,823 people. This State will see almost \$80 million in total tax increases. So less health care, more taxes, if the Supreme Court gets this wrong and sides with the Republican position.

South Carolina: 154,221 people in South Carolina will see their taxes go up, meaning about \$43 million in total if this decision goes against the American people.

South Dakota, the Mount Rushmore State: This is another small State, but every single person there who is getting health care today and is paying less for it—most folks under \$100 a month—is going to care about this. There are 16,811 people in South Dakota who will get tax increases and less health care if the Supreme Court makes the wrong decision, if the Supreme Court in this case sides with the Republican position.

Tennessee: 155,753 people in Tennessee will see their taxes go up, with a total of about \$34 million just from Tennessee alone.

Texas: And here we begin to see bigger numbers. Again, big State, big numbers—832,334 people in Texas, and we are talking about over \$205 million in increased costs, increased taxes on people who live in Texas who just want to be able to provide health care for themselves and their children. That is all. This is not some big frill we are talking about here. It is pretty basic. We cannot control whether we get sick. We are looking at 832,000-plus people who are holding their breath waiting to see what the Supreme Court is going to do and whether they are going to side with them or they are going to side with the Republican position.

Utah: 86,330 individuals in Utah who will see their taxes go up, all together about \$18 million.

Virginia: 285,938 people. Pretty close by in Virginia. Again, on average, they will see a \$258 increase in their taxes or a total of \$74 million from Virginia. This is just across the bridge here.

West Virginia, the Mountain State: We have 26,145 West Virginians who would all, in total, see over \$8 million coming out of the State of West Virginia if the Supreme Court sides with the Republican position on the tax credits under health care.

Wisconsin: 166,142 people. This is another close neighbor of ours in Michigan. There are 166,000-plus people who will see over \$52 million coming right across Lake Michigan, as we look across at Wisconsin. So less health care and taxes go up if the Supreme Court gets this wrong and sides with the Republican position.

And finally, Wyoming: 16,937 individuals and over \$7 million coming from the State of Wyoming in total taxes if the Supreme Court gets this wrong.

Madam President, a central question for Justices to consider in *King v.*

Burwell is legislative intent. That is a question I am, frankly, very qualified to answer, given how engaged I was in crafting the Affordable Care Act and especially the tax cuts represented in the affordable tax credits. I was there. I can speak firsthand to what the intent was.

The core purpose of this law was to make sure health care coverage was affordable for every American. Pretty simple. And to achieve that, I fought very hard to make sure these tax credits would be available; that they would be enough to make the difference.

I pushed so hard for these tax cuts in the Finance Committee markup that Chairman Baucus ended up calling me “Senator Affordability” in the process. I knew we had to get that right for every American, including those in my State. The key to this Affordable Care Act is for individuals and small businesses to be able to pool their risk to help drive down the cost for everyone, and it is doing that.

So the law created the marketplaces where Americans could shop. We also wanted to give States the right to create a marketplace of their own, if that was their preference. Now, here is the important part. We didn't want States to feel like they were being forced to create a marketplace, so we gave them a choice: either a Federal marketplace or you could choose a State marketplace.

The Federal marketplace created [healthcare.gov](http://healthcare.gov). With [healthcare.gov](http://healthcare.gov), every American has an opportunity to go online to see if they qualify for these savings, driven by the tax credits created within the Affordable Care Act. The great news is that 6.4 million Americans are getting those tax cuts right now.

Now the Court is considering the ludicrous idea that Congress actually meant to make those tax credits available in States that created their own exchanges but only in those States; that somehow we were not trying to make sure everybody in the United States had access to affordable health care and lower taxes and to put that money toward providing health care—not every exchange, not every State, not every person buying health insurance, only Americans living in States with a State-created exchange. That is what they have to believe in order to take the position the Republicans are asking us to take.

I can't think of a single instance in the history of our country where Members of the U.S. Congress have voted to give tax cuts to people in one State and not to people in another State, particularly if it is their own State that is not getting the tax cut.

Senator Max Baucus from Montana was chair of the Finance Committee at that time. In Montana, there was no plan to set up a State health care exchange. It is totally absurd to suggest that Senator Baucus would help write—would lead the writing of a health care bill with tax cuts for the

people of other States and not his own State. Why would I, as a Senator from Michigan, push so hard for these tax credits in the Affordable Care Act that my own constituents wouldn't qualify for but people in other States would? That makes no sense whatsoever. The legislative intent here is crystal clear.

So we have this bizarre situation where colleagues across the aisle are asking the Court to strike down the tax cuts and raise taxes on millions of their own constituents.

My belief on this issue is the same as it was 5 years ago when I pushed the tax credits through the Finance Committee: The right to get those tax credits has nothing to do with where you live in the United States of America; it has to do with whether you need health care for yourself and your children. If you are an American, then you deserve the opportunity to receive these tax cuts that will make health care affordable for you and your family. Whether you get your plan through a State exchange or through the Federal Government, it doesn't matter. That was intent of the law when we wrote it; that is how the law has worked since the marketplace opened; and that is how it should continue into the future.

Finally, I want to make it absolutely clear that the bill authored by the Senator from Wisconsin, Mr. JOHNSON, is not a repeal-and-replace plan; it is a Trojan horse that would completely destroy the health care law that is currently providing medical care for over 16 million Americans in our country. Experts tell us it would lead to a death spiral, where rates would go up so high that only sick people would be willing to pay the premiums, making insurance completely unaffordable for American families. It would let your State decide what health benefits are essential to your family, meaning a family in Iowa could have completely different protections from someone living a few miles away in Minnesota. It puts an expiration date on the tax credits that make health coverage affordable. Conveniently enough, though, it extends the tax cuts until after the 2016 election. And there is the real danger that when the guarantee of these tax cuts expires in September 2017, they will not be renewed. By putting that expiration date after the election, it is clear that this bill's first priority isn't finding a way to make health care affordable; its priority is delaying a massive tax increase until after the election. The priority is to win an election first and dismantle affordable health care coverage second.

My hope and, frankly, my prayer is that the Court recognizes what I know to be true: that the language of this law is consistent with the original intent, which is clear from the very first words of the law, title I, page 1. Here is what it says: "Quality, Affordable Health Care for All Americans"—not Americans in some States and not others, all Americans.

It is my deep hope that the Court ruling will allow us to lock in affordable

health care coverage for good. Then we can move on and spend our time more productively, focusing on how to make a good law even better for families, communities, businesses, and providers. I hope that will be the opportunity we will have.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Wyoming.

#### EXECUTIVE SESSION

##### NOMINATION OF DOUGLAS J. KRAMER TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION

Mr. ENZI. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 145, and that the Senate proceed to vote without intervening action or debate on the nomination; that following the disposition of the nomination, the motion to reconsider be considered made and laid upon the table; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session. The Senator from Wyoming.

#### FEDERAL REGULATIONS

Mr. ENZI. Madam President, I rise today to speak about the growing burden of Federal regulations and the need to rein in the creation of new rules and the expansion of existing rules. The regulatory burden in 2014 is reported to be nearly \$2 trillion, and the Federal Register last year came out to nearly 78,000 pages of new rules and regulations. This chart shows that 78,000 pages of regulations is all too common, especially for this administration,

where regulatory overreach has become normal, and the size of the Federal Register has topped 80,000 pages for 4 out of the 6 years of the President's time in office. With this administration, we are seeing a high-water mark of regulations that are drowning American families and businesses.

The flood of regulations has been getting bigger every year for the past 2½ decades under administrations from both parties. We can't afford to keep piling on these rules. The economic burden of Federal regulations is clear. One study estimated that the regulatory burden in the United States cost more than \$1.8 trillion in 2014 and was bigger than the GDP of India.

My second chart puts this in perspective: Only the 10 largest economies are bigger than the U.S. regulatory burden all by itself.

This burden is real. Some studies have estimated the regulatory drag on economic growth in the United States to be as high as 2 percent per year over the last 6½ decades. An annual report from the Competitive Enterprise Institute also noted that in 2014 regulations cost the average household nearly \$15,000. A study by the Small Business Administration found that regulations increase costs by more than \$10,000 per employee.

The fact that we cannot afford this burden is just as clear. Economic growth in the first quarter shrank by seven-tenths of 1 percent. If we get a growth of 1 percent, it increases the revenue, without raising taxes, to the United States by \$300 billion. That is according to the Congressional Budget Office. According to the President's budget person, it would increase it by \$400 billion. Imagine what a seventh-tenths loss costs us.

Complex regulations are costly and time-consuming, especially for small businesses. Small business owners and their employees have to take on dozens of different responsibilities to make their business work. They have to be compliance experts now, and that takes time and resources away that they need to put toward growing their business and succeeding. I have spoken to many businesses in Wyoming that have stopped measuring their permitting applications in pages because it is easier to measure them in feet.

Businesses are struggling in this regulatory environment because they can't make long-term plans for investments. They don't know what new regulation might come out next month that will change their entire business model. And the problem with complex permitting and regulatory requirements is not just the cost that existing businesses have to bear; it also comes as a cost in businesses that don't even get started because the Federal Government has placed a mountain of paperwork between their idea and success.

The rush of regulations by this administration is clear. President Obama's administration has issued